

REMARKS/ARGUMENTS

Initially, Applicants would like to express their appreciation to the Examiner for the detailed Official Action, for the acknowledgement of the acceptability of the drawings, and for the acknowledgement of Applicants' claim for foreign priority and the receipt of the certified copies of the priority documents. Applicants additionally wish to thank the Examiner for considering the materials cited in the Information Disclosure Statements filed in the present application on October 12, 2006 and February 4, 2008 by the return of the signed copies of the Forms PTO-1449 attached to the Official Action.

In the Official Action, the Examiner objected to the specification. In particular, the Examiner asserted that the title of the invention was not descriptive. Accordingly, Applicants have amended the title of the invention to be descriptive. Thus, Applicants respectfully request that the Examiner withdraw the objection to the specification.

The Official Action rejected claims 1-5 and 8-10 under 35 U.S.C. § 102(b) as being anticipated by the Japanese Patent Publication No. 2001-223534 (computer translation). Claims 6-7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Japanese Patent Publication No. 2001-223534 (computer translation).

Upon entry of the amendment, independent claim 1 and dependent claims 4-10 have been amended. Dependent claim 3 has been canceled. Thus, claims 1-2 and 4-10 are currently pending for consideration by the Examiner.

Claims 1-5 and 8-10 have been rejected under 35 U.S.C. § 102(b) as being anticipated by the Japanese Patent Publication No. 2001-223534 (computer translation). Amended independent claim 1 recites that the constant impedance element has a generally constant impedance of 50 ohms. This impedance setting is operationally significant in that the impedance is generally

constant at 50 ohms in the frequency band (9 to 49 GHz, for example) of the high frequency receive signal RF. (For example, see Applicants' Figure 6 and specification page 17, lines 4-8.) In contrast, Applicants submit that Japanese Patent Publication No. 2001-223534 fails to disclose a constant impedance element configured with an operationally significant impedance of 50 ohms. Accordingly, Applicants submit that since Japanese Patent Publication No. 2001-223534 fails to disclose each and every feature recited in Applicants' independent claim 1, the applied reference fails to anticipate claim 1. Thus, Applicants' respectfully request that the anticipation rejection of claims 1-5 and 8-10 under 35 U.S.C. § 102(b) be withdrawn.

Claims 6-7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over the Japanese Patent Publication No. 2001-223534 (computer translation). As stated above, Applicants submit that Japanese Patent Publication No. 2001-223534 fails to disclose a constant impedance element configured with an operationally significant impedance of 50 ohms, as recited in the base independent claim 1. Applicants further submit that Japanese Patent Publication No. 2001-223534 fails to teach, suggest, or render obvious a constant impedance element configured with an operationally significant impedance of 50 ohms. Accordingly, Applicants respectfully request that the rejection of claims 6-7 under 35 U.S.C. § 103(a) also be withdrawn.

Applicants note that the English-language computer translation of Japanese Patent Publication No. 2001-223534 is exceptionally difficult to read since the translation was performed by a machine instead of a certified human translator. Thus, if the Examiner intends to use Japanese Patent Publication No. 2001-223534 in a rejection in another Official communication, Applicants respectfully request that the Examiner provide Applicants with an

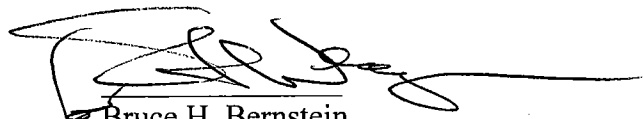
Official USPTO translation of Japanese Patent Publication No. 2001-223534 so that a complete and thorough analysis of the exact text of this document can be made.

SUMMARY

From the amendments, arguments, and remarks provided above, Applicants submit that all of the pending claims in the present application are patentable over the references cited by the Examiner, either alone or in combination. Accordingly, reconsideration of the outstanding Official Action is respectfully requested and an indication of allowance of claims 1-2 and 4-10 is now believed to be appropriate.

Applicants note that this amendment is being made to advance prosecution of the application to allowance, and should not be considered as surrendering equivalents of the territory between the claims prior to the present amendment and the amended claims. Further, no acquiescence as to the propriety of the Examiner's rejections is made by the present amendment. All other amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Respectfully Submitted,
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